

**Juvenile Justice Improvement Committee**  
Judicial Conference of Indiana

**Minutes**  
March 5, 2004

The Juvenile Justice Improvement Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, March 5, 2004 from 12:00 noon until 3:00 p.m.

1. Members present. Robert R. Aylsworth, Mary Beth Bonaventura, Christopher L. Burnham, W. Timothy Crowley, James R. Heuer, Daniel L. Pflum, Charles F. Pratt, R. Paulette Stagg, Viola J. Taliaferro and Mary R. Harper, chair.
2. Staff present. Jeffrey Bercovitz and Anne Jordan provided the committee with staff assistance.
3. Minutes approved. The minutes for the meeting on February 6, 2004 were approved.
4. Guests present. Suzanne Finneran Clifford, Director, Division of Mental Health and Addiction, (DMHA) FSSA; George Parker, M.D., Deputy Medical Director and Consultant, DMHA, FSSA and Director, Forensic Psychiatry, Indiana University; Natalie Angel, Manager of Communications, DMHA; Ms. Kim Tandy, ABA Regional Representative; Ms. Robin Tew, Executive Director, Indiana Criminal Justice Institute; Nikki Kincaid, Program Director, Juvenile Division, Indiana Criminal Justice Institute; Laurie Elliott, Children's Law Center; Janna K. Rhodes, President & CEO, Kids' Voice of Indiana; Judge Steve David, Boone Circuit Court; Mr. Stephen DeMougin, Director, Division of Family and Children, FSSA; Mary A. Edmonds, Supervisor – Budget Section, FSSA; and Jimmie McMillian, Law Clerk for Justice Sullivan were present.
5. Mental health services for juveniles.
  - a. Suzanne Clifford, DMHA, discussed present initiatives for her agency for juveniles – slots for Medicaid waivers for children with serious emotional disturbance (SED), screening and assessment tools for juveniles in foster care, systems of care and juveniles incompetent to stand trial.
  - b. Natalie Angel distributed a handout listing juvenile incompetent to stand trial goals for a restoration-focused program, a plan of action for DMHA, and the Virginia model for these services. Dr. Parker described the Virginia program to the committee members.
  - c. Suzanne Clifford invited the committee to assist her in prioritizing mental health service dollars to juveniles at their next meeting in the following areas: early intervention, community services, intensive community services, in-hospital care, restoring competency and youth aging out of the system.
  - d. Suzanne Clifford reported the governor asked her to lead a “cross-systems” project on how to integrate and improve services for children. She invited to participation by courts.
6. ABA study of representation of juveniles.
  - a. Kim Tandy, ABA regional representative, attended the meeting to discuss the leak to the press of their study of juvenile representation. She said the ABA has conducted twelve (12) studies in other states and this was the only one in which results were released prematurely. She

apologized, and said the ABA issued a statement indicating the release of the study on Marion County was not authorized. All results will be published in the aggregate and no individual files will be examined. She said the preliminary findings can be shared with the committee and the committee is welcome to share its recommendations in the final report. The Children's Law Center conducted a survey and assisted in the site visits for the report.

b. Judge Steve David, Jana Rhodes, and Nikki Kincaid explained their funding of the Children's Law Center. Judge David's court is the fiscal agent for monies from the Indiana Criminal Justice Institute (ICJI). Nikki Kincaid explained the ICJI fund's for this project must go through a government entity. Jana Rhodes said they administer a Lilly grant for the Center. Laurie Elliott explained the Children's Law Center generally provides educational programming. She reported they would convene an Advisory Committee for the ABA report, with Judge Murray and Magistrate Stagg representing juvenile court judges.

7. Family and Children's Fund.

a. Jeff Bercovitz distributed a spreadsheet from Mary Edmonds, which indicates sixty-nine (69) counties will lose money under Senate Bill One's amendments to the Family and Children's fund. Stephen DeMougin explained Senate Bill 1 caps the growth rate in the levy for the family and children's fund. Mary Edmonds explained the transfers of money at the end of the year to the new Children's Psychiatric Residential Treatment Fund.

b. Committee members agreed to send a memorandum alerting judges to the loss of monies in the family and children's fund. Mary Edmonds agreed to provide the memorandums to county OFC directors on this issue.

8. Other business.

a. Anne Jordan received suggestions for a court improvement program advisory group.

b. Committee members discussed **Stivers v. Knox County Department of Public Welfare**, 482 N.E.2d 748 (Ind. Ct. App. 1985) and agreed by consensus judicial officers should not serve on the local child protection team.

c. Jeff Bercovitz distributed recent legislation and newspaper articles concerning juvenile issues to committee members.

9. Next meeting dates. Committee members agreed to meet again on the following dates: May 7, 2004, June 4, 2004, October 1, 2004 and November 5, 2004 from 12:00 noon – 3:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law